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& LIONE

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: October 25, 2005 Name: John C. Freeman

Signature: John C. Freeman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: **ERICH STRASSER**

Appln. No.: **09/835,293**

Filed: **April 13, 2001**

For: **METHOD AND DEVICE FOR DETECTION  
OF OSCILLATIONS BY A POSITION  
MEASURING SYSTEM**

Examiner: Washburn, Douglas N.

Art Unit: 2863

Attorney Docket No: **56/350**

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Amendment  
☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

|   |                                     |       |                                    |                  | Small Entity |           |    | Not a Small Entity |           |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|----|--------------------|-----------|
|   | Claims Remaining<br>After Amendment |       | Highest No.<br>Previously Paid For | Present<br>Extra | Rate         | Add'l Fee | or | Rate               | Add'l Fee |
| Total                                     |                                     | Minus |                                    |                  | x \$25=      |           |    | x \$50=            |           |
| Indep.                                    |                                     | Minus |                                    |                  | x 100=       |           |    | x \$200=           |           |
| First Presentation of Multiple Dep. Claim |                                     |       |                                    |                  | +\$180=      |           |    | +\$360=            |           |
|   |                                     |       |                                    |                  | Total        | \$        |    | Total              | \$        |

Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

John C. Freeman  
John C. Freeman, Esq. (Reg. No. 34,483)

October 25, 2005

Date



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on October 25, 2005.

Name of Registered Representative:

John C. Freeman  
John C. Freeman, Reg. No. 34,483

October 25, 2005  
Date of Signature

PATENT  
CASE NO. 56/350

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application: )  
)  
Erich Strasser )  
) Group Art Unit: 2863  
)  
Serial No.: 09/835,293 )  
) Examiner: Washburn, Douglas N.  
Filed: April 13, 2001 )  
)  
For: METHOD AND DEVICE FOR )  
DETECTION OF OSCILLATIONS )  
BY A POSITION MEASURING )  
SYSTEM )

**AMENDMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is in response to the Office Action mailed September 21, 2005.

Accordingly, please amend claims 1-6 and 16-18 as follows: